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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,883	04/10/2001	Scott A. Rawson	IR-2819(MF)	8545

7590

10/22/2003

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EXAMINER

KING, BRADLEY T

ART UNIT

PAPER NUMBER

3683

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/829,883

Applicant(s)

RAWSON, SCOTT A.

Examiner

Bradley T King

Art Unit

3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,10-13,17,18,20 and 21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

- 6) ☒ Claim(s) 1-2, 10-13, 17-18, 20-21 is/are rejected.

- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 10, 12-13, 17-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Efromson et al (US 2538955).

Efromson et al discloses a vibration isolation member including: an inner member 14 having a frustoconical seat having an angled surface 15 and an outer periphery diameter, an outer member having a base 10 and a shroud 12 that extends away from the base, the shroud adapted to overlay the inner member, the shroud having an angled segment with an inner surface, the angled segment inner surface oriented substantially parallel to the angled surface of the frustoconical seat, the shroud defining an inner periphery diameter D", and consisting essentially of a single resilient sole member 16 constrained between the shroud angled segment inner surface and the inner member frustoconical seat angled surface, the single resilient member having a substantially trapezoidal cross section, the single resilient member bonded to the shroud angled segment inner surface and the inner member frustoconical seat angled surface provides

for displacement of the inner member in a radial direction and in an axial direction from the outer member, and the single sole resilient member is the sole resilient member providing for isolation between the suspended body and the support structure with the iso-elastic vibration isolation member providing a substantially equal dynamic stiffness in the radial direction and in the axial direction for an applied load between the suspended body and the support structure. Efromson et al further teach an embodiment (figure 4) where the inner member has a larger diameter than the opening of the shroud such that separation of the device is prevented (column 5, lines 1-5, but lack the explicit disclosure of both features in combination. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an interference as illustrated in figure 4 in the mount of figure 3 to prevent full separation of the two members, thereby increasing the safety of the device.

Regarding claim 12, see column 1, lines 1-5.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Efromson et al (US#2538955) as applied to claim 1 above, in view of Nowak et al (US#5116030).

Efromson et al, as applied to claim 1, disclose all the limitations of the instant claim with exception of the use of a silicone or synthetic rubber material. Efromson et al disclose rubber and rubber-like materials (column 3, lines 66-69). Rubber, Silicone and synthetic rubber materials are well known in the art. For instance, Nowak et al demonstrate a similar mount made of a silicone containing elastomer (column 5, lines

18-20). Material selection is also well known in the art and a necessary part of engineering design. It would have been obvious to one of ordinary skill in the art at the time the invention was made to select a synthetic rubber or silicone material for the mount of Efromson et al to provide the proper spring characteristics and resistance to environmental factors required for a given application.

### ***Response to Arguments***


Applicant's arguments with respect to the instant claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley T King whose telephone number is (703) 308-8346. The examiner can normally be reached on 11:00-7:30 M-F.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

BTK  
October 19, 2003

  
JACK LAVINDER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3500